

Message Text

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TO AMEMBASSY LONDON PRIORITY
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E.O. 11652: GDS

TAGS: PFOR, EAIR, WB, US, UK, FR

SUBJECT: BERLIN-LONDON CHARTERS

REF: STATE 210528(12/23/77)

1. DURING DISCUSSION WITH EUR DEPUTY ASSISTANT
SECRETARY VINE ON FEBRUARY 24, FCO DEPUTY UNDER SECRETARY
HIBBERT REPORTED THAT IT PROBABLY WOULD NOT BE POSSIBLE
FOR THE FCO TO GAIN DOT AGREEMENT FOR A TRIPARTITE MEETING
ON THE BERLIN-LONDON CHARTER PROBLEM IN THE NEAR FUTURE.
HIBBERT SUGGESTED THAT DISCUSSION OF THE ISSUES INVOLVED
BE CONDUCTED THROUGH EMBASSIES FOR THE TIME BEING. HE
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SUGGESTED THAT IF THE US PRESENTED AN OFFICIAL REPLY TO
THE UK PAPER OF MAY, 1 76, IT MIGHT BE POSSIBLE TO MOVE
FASTER TOWARD A FORMAL MEETING. SINCE THE POLITICAL
ASPECTS OF BERLIN AVIATION WERE MOSTLY OF CONCERN TO
THE US AND UK, HIBBERT SUGGESTED THAT THE FIRST EXCHANGES
BE HANDLED BILATERALLY, WITH THE FRENCH BEING BROUGHT
IN AT A LATER DATE.

2. VINE SAID THE US WOULD BE WILLING TO CONDUCT THE

EXCHANGE THROUGH EMBASSIES FOR THE TIME BEING, ALTHOUGH THERE WOULD BE A NEED TO MEET FORMALLY SOONER OR LATER. HE WARNED HIBBERT THAT THE US AND UK COULD NOT GO TOO FAR WITHOUT BRINGING THE FRENCH INTO THE PROCESS AND SUGGESTED THE FCO CONSIDER HOW BEST THE FRENCH MIGHT BE INCLUDED. HIBBERT PROMISED TO CONSIDER THE QUESTION.

3. EMBASSY LONDON SHOULD RAISE CHARTER ISSUE WITH FCO, RECALLING THE VINE-HIBBERT DISCUSSION OF FEBRUARY 24. EMBASSY SHOULD PRESENT THE DRAFT TEXT OF AVIATION PRINCIPLES SET FORTH IN PARA. 4 BELOW AS THE FORMAL US RESPONSE TO THE UK PAPER. IN MAKING THE PRESENTATION, EMBASSY SHOULD INCLUDE THE FOLLOWING POINTS:

A. THE DEPARTMENT CONTINUES TO SHARE WITH THE FCO THE

DESIRE TO ESTABLISH A BASIS FOR THE HANDLING OF BERLIN AVIATION AS A MATTER OF POLITICAL AS WELL AS CIVIL AVIATION INTERESTS. WHILE MANY OF THE IDEAS CONTAINED IN THE 1976 UK PAPER SUPPORTED THIS END, THE PAPER ALSO CONTAINED CONSIDERABLE ANALYSIS OF THE SPECIFIC PROBLEM OF BERLIN-LONDON CHARTERS, MUCH OF WHICH WAS DIRECTED AT JUSTIFYING CANCELLATION OF AUTHORIZATION FOR PAN AM CHARTERS TO LONDON.

B. GIVEN THE CONSIDERABLE DISCUSSION WHICH HAS TAKEN PLACE SINCE LAST SPRING, THE DEPARTMENT DOES NOT

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BELIEVE IT WOULD BE USEFUL AT THIS POINT TO ENTER INTO A DETAILED DISCUSSION OF THE COMMERCIAL PROBLEMS INVOLVED. IN OUR VIEW, THE FIRST TASK SHOULD BE TO ARRIVE AT THE STATEMENT OF PRINCIPLES WHICH THE UK HAS PROPOSED. THE US DRAFT IS SUBMITTED IN THIS SPIRIT, WITHOUT HOWEVER, PREJUDICING OUR RIGHT TO RAISE COMMERCIAL ISSUES AT A LATER STAGE OF THE DISCUSSIONS.

C. AS POINTED OUT BY DEPUTY ASSISTANT SECRETARY VINE IN HIS CONVERSATION WITH UK EMBASSY OFFICERS IN DECEMBER, THE US IS NOT FREE FROM COMMERCIAL PRESSURES AND AT SOME POINT IN THE DISCUSSIONS THE SPECIFIC QUESTION OF PAN AMERICAN CHARTER SERVICES TO LONDON WILL HAVE TO BE ADDRESSED.

4. TEXT OF DEPARTMENT'S REDRAFT OF UK PAPER IS AS FOLLOWS:

BEGIN TEXT:

1. AIR SERVICES BY CARRIERS OF THE UNITED STATES, THE UNITED KINGDOM AND FRANCE ARE VITAL TO THE SURVIVAL

OF WEST BERLIN.

A. THE AIR CORRIDORS AND THE FOUR POWER REGIME UNDER WHICH THEY OPERATE REMAIN THE ONLY SECURE MEANS OF CONNECTING WEST BERLIN WITH THE OUTSIDE WORLD. REGULAR SCHEDULED SERVICES BY COMMERCIAL CARRIERS ARE NECESSARY TO DEMONSTRATE CONTINUED APPLICABILITY OF THE CORRIDOR REGIME TO CIVILIAN AS WELL AS MILITARY TRAFFIC.

B. WEST BERLIN'S MANUFACTURING AND COMMERCIAL ENTERPRISES DEPEND ON SCHEDULED SERVICES PROVIDED BY THE THREE POWERS TO CONDUCT BUSINESS WITH THE FEDERAL REPUBLIC AND THE REST OF EUROPE.

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C. THE CITY'S INHABITANTS DEPEND ON THE THREE POWERS TO PROVIDE A FULL RANGE OF AIR SERVICES TO MEET THEIR NEEDS FOR SAFE AND RAPID TRAVEL FOR BUSINESS AND PLEASURE. THE AVAILABILITY OF BROAD OPPORTUNITIES FOR PRIVATE AIR TRAVEL IS AN IMPORTANT FACTOR IN ENCOURAGING INDIVIDUALS TO LIVE IN BERLIN.

D. THE COMMITMENT OF THE THREE POWERS TO MAINTAIN A FULL RANGE OF AIR SERVICES AND TO EXPAND WEST BERLIN'S CONTACTS WITH THE OUTSIDE WORLD THROUGH ADDITIONAL SERVICES, BOTH SCHEDULED AND CHARTER, IS VIEWED BY THE INHABITANTS OF BERLIN AS AN IMPORTANT TEST OF ALLIED DETERMINATION TO MAINTAIN THE FREEDOM OF THE CITY. FAILURE OF THE THREE POWERS TO TAKE ACCOUNT OF THIS FACTOR COULD RESULT IN CONSIDERABLE DAMAGE TO THE MORALE OF BERLIN'S POPULATION AND TO THE WILLINGNESS OF INDUSTRY AND WORKERS TO REMAIN IN THE CITY.

E. ALLIED COMMITMENT TO MAINTAIN A FULL RANGE OF AIR SERVICES IS ALSO VIEWED BY THE FEDERAL REPUBLIC AS A VITAL INDICATOR OF CONTINUED THREE POWER ENGAGEMENT IN WEST BERLIN. MAINTENANCE AND EXPANSION OF BOTH SCHEDULED AND CHARTER SERVICES IS CONSIDERED BY THE WEST GERMANS TO BE A PREREQUISITE FOR CONTINUED FRG SUBSIDIES TO THE INNER-GERMAN SERVICES.

2. IN LIGHT OF THE SPECIAL IMPORTANCE OF ALLIED AIR SERVICES TO BERLIN, THE THREE POWERS SHOULD CONDUCT THEIR RESPONSIBILITIES FOR PROVIDING AIR CONNECTIONS TO AND FROM BERLIN ON THE BASIS OF THE FOLLOWING GENERAL PRINCIPLES:

A. ALLIED GOVERNMENTS SHOULD ENDEAVOR TO SEE TO IT THAT CIVIL AIR CONNECTIONS CONTRIBUTE TO THE MAINTENANCE

OF A BROAD SPECTRUM OF CONTACTS BETWEEN WEST BERLIN

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AND THE OUTSIDE WORLD AND THAT BERLINERS ARE OFFERED A VARIETY OF AIR TRAVEL ALTERNATIVES. IN PARTICULAR, ALLIED GOVERNMENTS SHOULD REFRAIN FROM USING THEIR SHARED RESPONSIBILITY FOR BERLIN CIVIL AVIATION IN A FASHION WHICH LIMITS THE CITY'S TIES WITH THE OUTSIDE WORLD.

B. THE PROVISION OF SCHEDULED AIR SERVICES TO AND FROM WEST BERLIN SHOULD REMAIN THE PRINCIPAL CIVIL AVIATION

PRIORITY OF THE THREE POWERS.

C. CHARTER SERVICES TO AND FROM BERLIN SHOULD BE ENCOURAGED IN ORDER TO PROVIDE RESIDENTS OF BERLIN WITH LOW COST AIRLINE TRAVEL NOT NORMALLY POSSIBLE ON SCHEDULED SERVICES. THE GOAL SHOULD BE TO PROVIDE THE SAME RANGE OF AIR TRAVEL ALTERNATIVES AVAILABLE TO RESIDENTS OF THE FRG. ALL THREE POWERS SHOULD BE EQUALLY ENTITLED TO PROVIDE SUCH NON-SCHEDULED SERVICES.

D. TO ENSURE MAINTENANCE OF THE IMPORTANT SCHEDULED SERVICES, THE THREE POWERS SHOULD ENDEAVOR TO ENSURE THAT THE BRITISH, AMERICAN AND FRENCH AIRLINES PARTICIPATING IN SCHEDULED SERVICES TO WEST BERLIN HAVE AN OPPORTUNITY TO EARN AN APPROPRIATE RETURN.

E. THE ALLIED GOVERNMENTS SHOULD ENDEAVOR, THROUGH THEIR CIVIL AIR ATTACHES TO ENSURE THAT EXISTING REGULATORY PROCEDURES GOVERNING NON-SCHEDULED SERVICES ARE MAINTAINED AND IMPLEMENTED IN SUCH A WAY THAT CONFLICT BETWEEN SCHEDULED AND NON-SCHEDULED SERVICES IS AVOIDED.

F. IN THE EVENT OF CONFLICT BETWEEN SCHEDULED AND NON-SCHEDULED SERVICES, IN PARTICULAR IN CASES OF DEMONSTRATED UNDUE DIVERSION BY ONE TYPE OF SERVICE FROM

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ANOTHER, ALLIED GOVERNMENTS WOULD AGREE TO CONSULT PROMPTLY ON MUTUALLY ACCEPTABLE MEANS OF CORRECTING THE SITUATION. THE CONSULTATIONS SHALL BE CONDUCTED ON, THE BASIS OF THE ABOVE PRINCIPLES AND IN ACCORDANCE WITH THE SPECIFIC GUIDELINES SET FORTH BELOW.

3. THE FOLLOWING GUIDELINES PERTAIN TO SCHEDULED AIR

SERVICES:

A. THE BACKBONE OF THREE POW:R AIRLINE SERVICES ARE THE EXTENSIVE CONNECTIONS BETWEEN WEST BERLIN AND THE MAJOR CITIES OF THE FRG. THESE SERVICES MAINTAIN THE BASIC INTEGRITY OF THE AIR CORRIDORS AND OF ALLIED RIGHTS TO STAFF AND PROVISION BERLIN. THEY ALSO PROVIDE THE IMPORTANT REGULAR PASSENGER CONNECTIONS BETWEEN BERLIN AND THE FRG WHICH ARE VITAL TO CONTINUED VIABILITY OF THE CITY. FIRST PRIORITY MUST BE GIVEN TO MAINTAINING THESE IMPORTANT INNER-GERMAN SERVICES.

B. DIRECT LINKS BY SCHEDULED SERVICE BETWEEN WEST BERLIN AND POINTS OUTSIDE THE FRG ARE ANOTHER IMPORTANT PART OF THE NETWORK OF AIR SERVICES PROVIDED BY ALLIED CARRIERS. THERE SHOULD BE AS MANY DIRECT SCHEDULED SERVICES AS POSSIBLE, KEEPING IN MIND THAT SUCH SERVICES SHOULD NOT ADVERSELY AFFECT THE PRIORITY INNER-GERMAN SERVICES.

C. IN ORDER TO ENSURE CONTINUED DEVELOPMENT OF THE CHARTER MARKET, THE THREE POWERS SHOULD BE CAREFUL NOT TO REDUCE THE OPPORTUNITIES OF CHARTER OPERATORS BY ALLOWING SCHEDULED SERVICES TO OFFER BELOW-COST AIR FARES.

4. THE FOLLOWING GUIDELINES PERTAIN TO CHARTER SERVICES:

A. THE NETWORK OF CHARTER SERVICES ESTABLISHED IN
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RECENT YEARS BY SCHEDULED AND NON-SCHEDULED CARRIERS OF THE THREE POWERS HAVE BEEN AN IMPORTANT FACTOR IN MAINTAINING THE ATTRACTIVENESS OF WEST BERLIN AS A PLACE TO LIVE AND WORK. CHARTER SERVICES PROVIDE BERLIN RESIDENTS WITH A RAPID AND INEXPENSIVE MEANS OF ESCAPING THE ISOLATION OF THEIR CITY, ESPECIALLY FOR HOLIDAY TRAVEL. THE GROWTH OF THE CHARTER MARKET IN RECENT YEARS DEMONSTRATES THE IMPORTANCE OF CHARTER SERVICES IN MAINTAINING MORALE IN BERLIN. MEETING TO THE FULLEST EXTENT POSSIBLE THE DEMAND FOR CHARTER SERVICE IS AN IMPORTANT GOAL OF THE THREE POWERS, KEEPING IN MIND THE PRINCIPLES ENUMERATED ABOVE.

B. THE OPPORTUNITY TO PROVIDE CHARTER SERVICES TO AND FROM WEST BERLIN SHOULD BE OPEN ON EQUAL TERMS TO THE CARRIERS OF THE THREE ALLIES. THIS APPLIES TO CHARTERS TO AND FROM THE TERRITORIES OF EACH OF THE ALLIED GOVERNMENTS AS WELL AS OF OTHER COUNTRIES. IN DEVELOPING THE TERMS AND CONDITIONS UPON WHICH CHARTERS MAY BE OPERATED TO AND FROM BERLIN, THE ALLIED GOVERNMENTS

SHOULD NOT APPLY OR ACQUIESCE IN ANY TERMS OR CONDITIONS WHICH COULD HAVE THE EFFECT OF DISCRIMINATING AMONG THE CARRIERS OF THE THREE ALLIED GOVERNMENTS ON THE BASIS OF NATIONALITY.

C. GIVEN THE IMPORTANCE OF SCHEDULED SERVICES, CARE SHOULD BE TAKEN TO ENSURE THAT CHARTER REGULATORY PROCEDURES ARE SUFFICIENT TO PROTECT THE SCHEDULED SERVICES AND THAT THE REGULATIONS ARE BEING ENFORCED. THESE REGULATIONS SHOULD BE REVIEWED TO ENSURE THAT THEY ARE CONSONANT WITH THE BEST INTERESTS OF THE BERLIN TRAVELLING PUBLIC AND WITH MAINTENANCE OF SCHEDULED SERVICES.

D. IN CASES OF DEMONSTRATED UNDUE DIVERSION BY ONE TYPE OF SERVICE FROM THE OTHER, THE THREE POWERS SHOULD COMMENCE CONSULTATIONS A; PROVIDED IN PARAGRAPH 2F ABOVE.

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